

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JEROME BROWN,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendants.

Case No. 2:23-cv-00692-CDS-EJY

ORDER

Pending before the Court is Defendants' Motion to Seal Exhibits A, B, D, E and F to their Opposition to Request for a Preliminary Injunction. ECF No. 57. These exhibits contain medical records of Plaintiff or contain information regarding his medical history.

As the party seeking to seal a judicial record, Plaintiffs must meet their burden of overcoming the strong presumption in favor of access and public policies favoring disclosure. *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (holding that those who seek to maintain the secrecy of documents attached to dispositive motions must meet the high threshold of showing that "compelling reasons" support secrecy). Where a party seeks to seal documents attached to a non-dispositive motion, the "public policies that support the right of access to dispositive motions ... do not apply with equal force" *Id.* at 1179 (citation omitted). Here, the matter before the Court is non-dispositive. Any public interest favoring disclosure of information is outweighed by allowing the Plaintiffs medical records and communications to remain sealed. *Doe v. Penzato*, No. CV10-5154 MEJ, 2011 WL 1833007, at *5 (N.D. Cal. May 13, 2011). The Court considered the Motion and the documents sought to be sealed, which are Plaintiff's medical records. The Court finds Exhibits A, B, D, E, and F are properly sealed.

Accordingly, IT IS HEREBY ORDERED that Defendants' Motion to Seal (ECF No. 57) is GRANTED.

1 IT IS FURTHER ORDERED that Exhibits A, B, D, E and F to Defendants' Opposition to
2 Request for a Preliminary Injunction, found under seal at ECF No. 59, are and shall remain sealed.

3 DATED this 6th day of November, 2024.

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5 ELAYNA J. YOUCHAH
6 UNITED STATES MAGISTRATE JUDGE
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